

## THE HERALD.

SALT LAKE CITY, UTAH.

TUESDAY, June 24, 1890.

THE DAILY HERALD is published every morning, Monday excepted, at the Herald Building, corner West Temple and First South streets, Salt Lake City, by THE HERALD COMPANY. Subscription price, in advance, \$10.00 per annum, post paid.

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ADVERTISERS will confer a favor by forwarding information to this office when their papers are not promptly received. This will aid us to determine where the fault lies.

ALL communications should be addressed to THE HERALD, Salt Lake City, Utah.

CITY DELIVERY

By the year (variably in advance) \$10.00  
By the month 1.00  
By the week .35

J. T. DENBAR & Co., Circulators.

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## NOTICE.

From and after June 10, 1890, until further notice, the eastern advertising agency of THE HERALD will be located with the agency of the San Francisco Examiner in New York. All business east of Omaha and Denver will be contracted for exclusively by this agency. Address Palmer & Key, Agents, SALT LAKE HERALD, 230 and 236 Temple Court, New York.

## A VAIN EFFORT.

It is said that the House committee on judiciary is scrutinizing with extraordinary caution and care the bill to overcome the supreme court's original packing decision. The gentlemen do not want to get into trouble over states' rights questions and are not eager to frame a law which will be set aside by the supreme court when the measure shall come before that tribunal. The committee would like to leave with the states the right to control and regulate the traffic in intoxicating liquors, but in the light of the recent decision cannot clearly see its way to the desired end.

It is this "trimming" kind of legislation which causes so many of our laws to be provocative of evil rather than tending to good. Congresses are too much given to the achievement of ends without considering the methods employed; too much disposed to do what the majority desires without ascertaining that it has the right to do it. There is a doubt cast upon the validity of the laws, and expensive, troublesome litigation follows, whereas, if Congress knew that it was right its laws would rarely be called in question.

The original packages decision was based on an interpretation of the federal constitution by the tribunal whose interpretation is final. There can be no appeal to any other court, and even Congress must bow to the decision. Any of us may say, in our hearts, that the ruling is wrong, and we may all wish it was otherwise; but what the court says must stand as law in spite of everything except a revolution of force. The court reads the constitution so as to make it say that the United States have supreme control of interstate commerce; that no state has a right to interfere with that traffic, and that a state law which assumes to so interfere is invalid and of no force. The supreme court then goes on to say that the transportation of liquor from one state to another is interstate commerce as contemplated in the constitution, and it further says that the sale of liquor manufactured in one state to a citizen of another state in the original packages of the seller is legitimate traffic which a state cannot prevent, the constitution forbidding it. By implication the decision holds that the breaking of the package gives the state control of the further traffic in the goods, the United States having no authority over the interstate commerce of the minor political division. It makes no difference that individuals and states disagree with the opinion, the interpretation is final, and is binding on the United States, Congress and on all the states.

This being true, we would like to know how Congress can enact a law that will change the status. It occurs to us that Congress has no more power or authority in the premises than a state legislature or a municipal council, and a law by Congress nullifying in any particular the supreme court decision would be no more valid than a city ordinance. There are two ways for overcoming the effect of the court's opinion, and these lie through amendments to the federal constitution. An amendment providing national prohibition would accomplish the purpose, and so would an amendment recalling from the federal government the power "surrendered" by the states to regulate interstate commerce. Legislation, no matter by what body enacted, can do anything unless it is backed by sufficient physical force to override the constitution and set at defiance the supreme court.

## ORIGINAL PACKAGES.

The question of what is an original package under the recent decision of the United States supreme court is to be answered by that tribunal, the case coming from Leavenworth, Kansas. A dealer was arrested for selling whisky in pint and quart bottles, and on the trial Judge Caldwell decided that the accused could not be punished, as under the supreme court's decision the pints and quarts were original packages, the liquor having come into the state in that form. A couple of county attorneys do not agree with the judge, and are preparing to carry the case to the court of last resort. Their contention is "that an original package of liquor is such a package as the government stamps, consisting of not less than five gallons of whisky and one-eighth of a barrel of beer." The question is an intricate one and will puzzle the court. If the position of the Kansas lawyers is correct, bottled liquors, no matter in what quantity they may be shipped into a prohibition state, can be sold, as they ceased to be an original package when they were drawn from the stamped barrel and placed in unstamped bottles. If the judge is right in his interpretation of the decision liquor can be retailed in any desired quantity, it being only necessary to do the packing and sending outside the state. If a pint bottle is an original package, so is a bottle holding a gallon or a demijohn holding a gallon. Neither the law nor the supreme court decision says what is an original package, nor does either limit it in the matter of size or quantity. We imagine the court will hold that an original package is the package which comes from the shipper, be it much or little; that is to say, if whisky is shipped in bottles in cases,

it must be sold by the case and not by the bottle, and if in barrels the sale must be by the barrel. There would be common sense in this interpretation, and laws are supposed to be reasonable.

THE SENATE committee on territories has finally taken action on the BASKIN-CULLUM disfranchisement bill, and that action will be unfavorable to the measure. A telegram says the bill will be reported to the Senate with a recommendation that action on it be indefinitely postponed. This is equivalent to the rejection of the bill by the committee, and of course kills it in the Senate, as the matter will never be called up. The committee, however, it is said, will adopt a "bill recently reported to the Senate to secure the purity of elections in Arizona," which bill contains an oath similar that contained in the Idaho statute. If such a bill has been reported to the Senate the fact has not been announced in the regular accounts of Congressional proceedings. We are inclined to believe that the sender of yesterday's press dispatch got things somewhat mixed. Instead of the alleged Arizona bill having been reported it is probably the case that such a bill has been framed by the committee or by Secretary McPHERY, of Arizona, and its provisions will be made applicable to both territories. However, if it is something of a pain that the infamous Cullum bill has been killed, even though another soundly measure may follow it.

It is a point cleverly turned which the Alexandria (Va.) Gazette makes in the following editorial paragraph: "The constitution provides that there shall be a uniform rule of naturalization, that there shall be no law prohibiting the free exercise of any religion, that there shall be no law that abridges the privileges of citizens, and that the right of citizens to vote shall not be denied on account of race. These provisions of the organic law of the land are so plain that those who run may read, or those who read may run, as it suits them. And yet the Mormons are denied the privilege of voting on account of their religion, and the Chinese and the Japanese are denied the right of citizenship on account of their race. But the Chinese and the Japanese live in the west and north. In the south it is entirely different. If a negro in a southern state were deprived of his vote on account of his color, or his race, the very constitutional provisions referred to would be adduced by the Republicans as shields for the protection of his rights."

THE EDMUNDS bill which passed the Senate last Saturday under the party lash in the hands of the heartless old Vermonters, to help the church by providing a way to expend the money stolen from the Mormon church was slightly changed from its original form. Thus, the bill as framed by EDMUNDS provided that the property of which the church was plundered "in respect to which funds and property it shall appear that there is no lawful private right, shall be devoted," etc.; the bill as passed provides that the property, "except so far as it shall appear in respect thereto that there is a lawful private right, shall be devoted," etc. The change is so slight that the ordinary reader will not notice it. Both readings mean that the theft shall have the sanction of Congressional action as well as supreme court approval.

A RETIRED groceryman of Detroit has been giving some good advice, by way of emphasizing the good old rule to pass as you go. He says that while dealers like those customers who buy on trust the only really independent men are those who pay cash and run no bills. Especially should there be immediate payment for provisions, for then the buyer will not indulge in luxuries which he cannot afford, and he will get his goods cheaper. When the purchaser runs no bills he is not likely to be assessed for the losses which the dealer suffers by trusting dead beats. The ex-grocer says it is the rule, rather than the exception to make up on paying accounts what is lost on bad ones.

THE COUNCIL will be negligent if it shall longer postpone the rejection of all propositions to purchase the city waterworks and the water which belongs to the landowners. People will soon begin to ask if there are members of the council interested in any of the water buying schemes.

BEING the business streets to a regular grade, but as to residence streets take into account the conformation of the country. Some of the handsome streets in the most attractive of American cities are those which are laid out on the lines which nature has formed.

Nobody will object to any reasonable expenditure for bringing Parley's canon water into the city for irrigation and culinary purposes; but before a large sum of money is paid out for pipes, culverts and labor, it would be well to learn definitely just what are the city's right to the stream in question.

THE THOMAS-EDMONDS bill conferring on the governor the right to fill by appointment all the offices in the territory, should be amended by a provision requiring the President to remove the present territorial executive before the law goes into effect.

IF all the Liberals who were active in the late campaign have not been sufficiently rewarded in a substantial manner, the council might order another census to verify the fifteen hundred dollar count made last month.

IF THE HERALD were to guess as to the population of Salt Lake city it wouldn't go above 50,000.

## Why It Is Popular.

Because it has proven its absolute merit over and over again, because it has an unequalled record of cures, because its business is conducted in a thoroughly honest manner, and because it combines economy and strength, being the only medicine of which "100 Doses One Dollar" is true—these strong points have made Hood's Sarsaparilla the most successful medicine of the day.

## A Good Thing to Keep at Hand.

FROM THE TROY (KAN.) CHIEF.

We have occasion to use but little of the numerous medicines advertised in our paper; but we have found one to fill the bill of what is claimed for it, and take pleasure in saying so. That is Chamberlain's colic, cholera and diarrhea remedy. Some years ago, we were very much subject to severe spells of cholera morbus; and when we feel any of the symptoms of which "100 Doses One Dollar" is true—namely, at the stomach, diarrhea, etc., we become scared. We have found Chamberlain's remedy the very thing to straighten one out in such cases, and always keep it at hand. It is somewhat similar to the usual cholera cures, but seems to contain ingredients that render it more pleasant to take, and that do their work more quickly. Sheriff Devereaux tells us that he is subject to cholera morbus, and recently felt a spell coming on, when he obtained a bottle of Chamberlain's colic, cholera and diarrhea remedy and two doses made him all right. We are not writing this for a pay testimonial, but to let our readers know what is a good thing to keep handy in the home. For sale by drug department Z. C. M. I.

Gents' hosiery, ties and underwear at the Western Shoe and Dry Goods Co., Main street.

## DRINK LION COFFEE

A TRUE COMBINATION OF Mocha, Java and Rio.

A BEAUTIFUL SOUVENIR Picture Card Given WITH EVERY POUND PACKAGE LION COFFEE

When you buy your groceries try a package LION COFFEE. It is the best in the United States—made up from a selection of Mocha, Java and Rio, properly blended and is conceded by all to make the nicest cup of coffee in the land. For Sale Everywhere.

Woolson Spice Co., Manfrs, KANSAS CITY, MO. TOLEDO, O.

MERCHANTS WRITE YOUR JOBBERS FOR PRICES.

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W. J. BURGESS, MANAGER.

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WEDNESDAY, THURSDAY and FRIDAY, June 25, 26 & 27.

Master Blatchford Kavanaugh, THE FAMOUS—

BOY SOPRANO

"Who has been praised by Patti and petted by Mrs. Harrison. His range is from low G to high C."—New York Herald.

"A voice with all the power and sweetness of Patti."—Buffalo Express.

"He is simply marvelous."—Adelphi Path.

ACCOMPANIED BY—

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MASTER HARRY DIMOND, The Wonderful Boy Violinist and Mandolin Solist.

PRICES—\$1.00, 75c, 50c and 25c.

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BASEBALL.

Championship of Wyoming and Utah.

Cheyenne vs. Salt Lake,

Wednesday, Thursday, Friday, Saturday,

JUNE 25, 26, 27, 28.

Games called at 3:30 p. m.

Denver vs. Salt Lake,

Wednesday, Thursday, Friday, Saturday,

JULY 2, 3, 4, 5.

Admission, 25c and 50c

Ladies Free except on the Fourth.

EAST ACREAGE.

The Cheapest Piece and Prettiest Location

Twenty Acres just east of the Penitentiary; all under cultivation; lucern, orchard, good brick dwelling house; best water right;

\$400 per Acre.

VERY EASY TERMS.

FULLER & YOUNG.

Salt Lake City Corporation.

NOTICE TO CONTRACTORS.

SEALED PROPOSALS WILL BE RECEIVED at the office of the City Engineer, at the City Hall, Salt Lake City, Utah, until 12 m., July 5, 1890, for furnishing material and constructing about six miles of Brick Conduit and two miles of wrought iron Pipe Line, with all necessary earthwork and appurtenances, to be endorsed, "Proposals for Conduit and Pipe Line Construction."

Plans can be seen and specifications obtained on and after June 24, 1890, at the office of the City Engineer, or room 608, Progress Building, Salt Lake City.

APPROXIMATE QUANTITIES ARE AS FOLLOWS:

Earth and Rock Work.....25,000 cubic yards

Brick and Stone Masonry.....11,000 cubic yards

Wrought Iron Pipe.....12,000 lineal feet

Bids will be received for the whole or portions of the work, and must be made up in form furnished by the undersigned.

All proposals to be accompanied by satisfactory evidence of the bidder's ability to perform the work.

A certified check for \$2,000, made payable to the City Treasurer of Salt Lake City, must also accompany each bid, the same to be forfeited to said city if the successful bidder fails to enter into contract with the city and furnish a bond acceptable to and in such amount as may be required by the city council thereof within three days after the awarding of said contract.

The rights reserved to reject all bids.

Address, Board of Water Commissioners, City Hall, Salt Lake City.

J. F. DOREMUS, City Engineer.

M. F. MACK, Commissioner.

C. L. STEVENSON.

Per resolution of city council, June 17, 1890.

JOHN GRANT, Omaha, Neb.

B. F. REDMAN, Salt Lake City.

JOHN GRANT & CO., CONTRACTORS FOR

Street and Sidewalk Pavements

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Trinidad Asphaltum for Streets, Shingles and Granolithic for Sidewalks, Basement Floors, etc. The best brands of Imported Portland and American Cements. Gravel and Sand for concrete for sale.

Estimates furnished on all kinds of cement work, concreting, etc. All work guaranteed.

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Books Bound, Printed and Bound to Order.

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COMPLETE line of Office Supplies, embracing the most approved labor-saving and economical inventions.

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## Lipman, Wallerstein &amp; Company, Protectors Against High Prices.

All Goods Marked in Plain Figures, and Strictly One Price to All.

GREAT BARGAIN SALE!

Look at these Cut Prices:

Best Blue Denim Overalls, .45

Best Blue Denim Jumpers, .45

Good Quality Flannel Overshirts, .45

White Unlaundered Shirts, Double Re-enforced, .45

Men's Good Quality Cotton Hose, per dozen, .85

Men's Good Quality Jeans Pants, .85

Men's Good Quality Summer Underwear, .45

Men's Good Quality Suspenders, .10

Men's Good Quality Black Stiff Hats, .35

Men's Good Quality Business Suits, \$4.25

Men's Good Quality Cheviot Pants, 1.90

Men's Good Quality Cassimere Pants, 2.50

Children's Suits (4 to 13 years), 1.45

Children's Knee Pants (4 to 13 years), .25

Boys' Shirt Waists, Percale and Flannel, .25

WE GUARANTEE THESE PRICES!

Lipman, Wallerstein & Co.

175 and 177 Main Street.

Mail Orders Will Receive Our Prompt and Careful Attention.

S. P. TEASDEL

Has Just Received a Large Assortment of the Latest Novelties in

Lawns, Percales,

Seersuckers, Dress

Ginghams and Satteens,

And all the Leading Fabrics for the Season.

A FULL LINE OF CHOICE HOSIERY IS NOW ON HAND.

Ribbons, Laces and Notions

IN GREAT VARIETY.

Call and Examine Quality and Prices.

A Complete Assortment of General Merchandise Always on Hand

Teasdel's 4 Stores,

Main Street, Salt Lake City.

PABST BREWING CO.,

(Formerly Philip Best, Milwaukee, Wis.)

Bohemian Export and Hofbrann Keg and Bottled Beers.

The Finest Beverage in America is the Select Blue Ribbon Beer.

MAIL ORDERS SOLICITED.

SPECIAL ATTENTION GIVEN TO THE FAMILY TRADE.

B. K. Bloch & Co., Agents,

13, 15, 17, 19 Commercial Street.

P. O. Box 553. Telephone 365

Z. C. M. I. Shoe Factory.

The Best,

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And Home-made.

All Styles, Varieties and Prices.

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HEADQUARTERS FOR FINE SHOES.

SOLE AGENTS FOR LATTEMAN'S CORSET SHOES, For Weak Ankles.

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STATIONERY, BOOKS, Toys and Novelties.

Standard Books, Novels, Histories, Travels, Health Publications, Church Works, School Books, Magazines, Periodicals.

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